

The road from Duxbury Beach, upper right, runs out to Gurnet Point. It is the only access over land to the neighborhood.

Lisa Bul/The Patriot Ledger

Residents of Gurnet want outsiders out

GURNET

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By John O'Keefe
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PLYMOUTH — Residents of Saquish Head and the Gurnet say they have every right to keep outsiders off their roads and beaches.

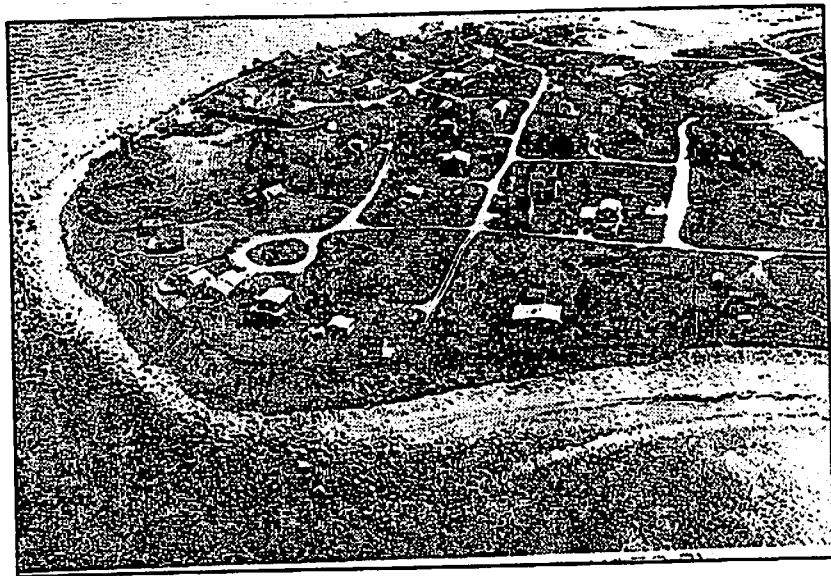
Selectman Eugene Lane told the selectmen this week that he was harassed by Saquish and Gurnet residents when he drove through the neighborhoods. He has asked Town manager Donald Jacobs to investigate the incident and similar complaints.

But homeowners there said they regularly ask uninvited visitors to leave the neighborhoods, located at the remote end of the peninsula that is Duxbury Beach.

"The reason they get stopped is because they're on private property," said Warren Bush, vice president of the Saquish-Gurnet Neighborhood Association.

"If they want to enjoy Saquish, there's property for sale and they're welcome to buy it."

All the land surrounding the beaches is privately owned, Bush said, and the dirt roads throughout the peninsula are owned and maintained by the neighborhood association, a non-profit group funded by



Lisa Bul/The Patriot Ledger

Roads to private homes snake through Gurnet Point, where residents are asserting privacy rights.

residents' donations.

Residents of the peninsula are opposing the Coast Guard's plan to move Gurnet Light away from an eroding seaside cliff because of the potential road damage from large trucks and heavy equipment.

They say they work hard to maintain the roads.

"It's not a question of hostility, it's a question of privacy," said Anthony Cardinale, of Belmont, who owns a house on the Gurnet.

He said people buy homes on the

peninsula, where there is no electricity, telephone lines or water service, to get away from crowds and modern-day stresses. Allowing visitors to come at will would defeat that purpose.

"When you go out there, you go back in time 100 years," Cardinale said. "And that's what everybody's trying to protect."

No one disputes that parts of the beaches are owned by the town, but residents and town officials have disagreed about whether town land begins at the high- or low-water mark.

Either way, residents say, there's no way to reach the public land by car without crossing private proper-

ty. Boaters who row to shore, however, are welcome to use the public beaches, because they are not trespassing.

Because the neighborhood association pays for the upkeep of the roads, Bush said, they have a legal right to stop people from using them. The town has provided road maintenance only after major storms, he said.

Plymouth's law firm, Boston-based Kopelman & Paige, gave the town a legal opinion on the matter in 1995. But both sides said the opinion, which focused on the rights of

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town residents to harvest clams on Saquish beaches, created more questions than answers.

The association said the opinion confirms their ownership of the roads and the land surrounding the town-owned beaches, but Selectman Lane said the document is ambiguous.

"If (the residents) think it's their land, let them go to court to find out," he said yesterday.

Bush said the neighborhood association spends \$8,000 to \$10,000 a

year on conservation projects, including road maintenance. The group spends another \$7,000 to \$8,000 a year for a guard to monitor the entrance to the neighborhoods during the summer.

He said homeowners in the neighborhood don't want any money from the town, because accepting it would force them to give up some privacy.

"If that place was open to the public, we'd be absolutely overrun," Bush said. "Leave us be and we'll take care of the place. We're happy to do it. It's the price of privacy."

Residents also said it's the price of protecting the environment. Because there is no public parking area, visitors park on the beaches or marshes.

"It's a very fragile ecosystem," Cardinale said.

Elaine Nudd, who has lived on the Gurnet for 18 years, said she hasn't had many trespassers on her property, because the beaches in Saquish are more popular. But she sympathizes with her neighbors.

"You wouldn't like it if someone came out and parked in your drive-

way and spent the day in your back yard," she said.

Lane said he would be willing to meet with Saquish and Gurnet residents to resolve the matter. "We don't want to feud with these people," he said. "We need to sit down and talk."

A meeting between the town and the neighborhood association had been set for next week, Lane said, but it had to be rescheduled because Town Manager Jacobs and Police Chief Robert Pomeroy couldn't attend.